

SHB 3183 - S COMM AMD

By Committee on Transportation

1 Strike everything after the enacting clause and insert the
2 following:

3 "**Sec. 1.** RCW 46.16.010 and 2007 c 242 s 2 are each amended to read
4 as follows:

5 (1) It is unlawful for a person to operate any vehicle over and
6 along a public highway of this state without first having obtained and
7 having in full force and effect a current and proper vehicle license
8 and display vehicle license number plates therefor as by this chapter
9 provided.

10 (2) Failure to make initial registration before operation on the
11 highways of this state is a traffic infraction, and any person
12 committing this infraction shall pay a penalty of five hundred twenty-
13 nine dollars, no part of which may be suspended or deferred.

14 (3) Failure to renew an expired registration before operation on
15 the highways of this state is a traffic infraction.

16 (4) The licensing of a vehicle in another state by a resident of
17 this state, as defined in RCW 46.16.028, evading the payment of any tax
18 or license fee imposed in connection with registration, is a gross
19 misdemeanor punishable as follows:

20 (a) For a first offense, up to one year in the county jail and
21 payment of a fine of five hundred twenty-nine dollars plus twice the
22 amount of delinquent taxes and fees, no part of which may be suspended
23 or deferred;

24 (b) For a second or subsequent offense, up to one year in the
25 county jail and payment of a fine of five hundred twenty-nine dollars
26 plus four times the amount of delinquent taxes and fees, no part of
27 which may be suspended or deferred;

28 (c) For fines levied under (b) of this subsection, an amount equal
29 to the avoided taxes and fees owed will be deposited in the vehicle
30 licensing fraud account created in the state treasury;

1 (d) The avoided taxes and fees shall be deposited and distributed
2 in the same manner as if the taxes and fees were properly paid in a
3 timely fashion.

4 (5) These provisions shall not apply to the following vehicles:

5 (a) Motorized foot scooters;

6 (b) Electric-assisted bicycles;

7 (c) Off-road vehicles operating on nonhighway roads under RCW
8 46.09.115;

9 (d) Farm vehicles if operated within a radius of fifteen miles of
10 the farm where principally used or garaged, farm tractors and farm
11 implements including trailers designed as cook or bunk houses used
12 exclusively for animal herding temporarily operating or drawn upon the
13 public highways, and trailers used exclusively to transport farm
14 implements from one farm to another during the daylight hours or at
15 night when such equipment has lights that comply with the law;

16 (e) Spray or fertilizer applicator rigs designed and used
17 exclusively for spraying or fertilization in the conduct of
18 agricultural operations and not primarily for the purpose of
19 transportation, and nurse rigs or equipment auxiliary to the use of and
20 designed or modified for the fueling, repairing, or loading of spray
21 and fertilizer applicator rigs and not used, designed, or modified
22 primarily for the purpose of transportation;

23 (f) Fork lifts operated during daylight hours on public highways
24 adjacent to and within five hundred feet of the warehouses which they
25 serve: PROVIDED FURTHER, That these provisions shall not apply to
26 vehicles used by the state parks and recreation commission exclusively
27 for park maintenance and operations upon public highways within state
28 parks;

29 (g) "Trams" used for transporting persons to and from facilities
30 related to the horse racing industry as regulated in chapter 67.16 RCW,
31 as long as the public right-of-way routes over which the trams operate
32 are not more than one mile from end to end, the public rights-of-way
33 over which the tram operates have an average daily traffic of not more
34 than 15,000 vehicles per day, and the activity is in conformity with
35 federal law. The operator must be a licensed driver and at least
36 eighteen years old. For the purposes of this section, "tram" also
37 means a vehicle, or combination of vehicles linked together with a

1 single mode of propulsion, used to transport persons from one location
2 to another;

3 (h) "Special highway construction equipment" defined as follows:
4 Any vehicle which is designed and used primarily for grading of
5 highways, paving of highways, earth moving, and other construction work
6 on highways and which is not designed or used primarily for the
7 transportation of persons or property on a public highway and which is
8 only incidentally operated or moved over the highway. It includes, but
9 is not limited to, road construction and maintenance machinery so
10 designed and used such as portable air compressors, air drills, asphalt
11 spreaders, bituminous mixers, bucket loaders, track laying tractors,
12 ditchers, leveling graders, finishing machines, motor graders, paving
13 mixers, road rollers, scarifiers, earth moving scrapers and carryalls,
14 lighting plants, welders, pumps, power shovels and draglines, self-
15 propelled and tractor-drawn earth moving equipment and machinery,
16 including dump trucks and tractor-dump trailer combinations which
17 either (i) are in excess of the legal width, or (ii) which, because of
18 their length, height, or unladen weight, may not be moved on a public
19 highway without the permit specified in RCW 46.44.090 and which are not
20 operated laden except within the boundaries of the project limits as
21 defined by the contract, and other similar types of construction
22 equipment, or (iii) which are driven or moved upon a public highway
23 only for the purpose of crossing such highway from one property to
24 another, provided such movement does not exceed five hundred feet and
25 the vehicle is equipped with wheels or pads which will not damage the
26 roadway surface.

27 Exclusions:

28 "Special highway construction equipment" does not include any of
29 the following:

30 Dump trucks originally designed to comply with the legal size and
31 weight provisions of this code notwithstanding any subsequent
32 modification which would require a permit, as specified in RCW
33 46.44.090, to operate such vehicles on a public highway, including
34 trailers, truck-mounted transit mixers, cranes and shovels, or other
35 vehicles designed for the transportation of persons or property to
36 which machinery has been attached;

37 (i) Any motorized equipment, other than a vehicle required to be
38 licensed under this title, operated by a city, county, park and

1 recreation district, or metropolitan park district, during daylight
2 hours, on city streets or county roads, used exclusively for park
3 maintenance activities and not primarily for the purpose of
4 transportation, where the equipment has wheels or pads that will not
5 damage the roadway surface. Equipment moved on city streets or county
6 roads pursuant to this subsection (5)(i): (i) Must have a slow moving
7 vehicle emblem with current standards and specifications as adopted by
8 the Washington state patrol; (ii) must be accompanied by an escort
9 vehicle with a minimum of two flashing or rotating amber lights
10 positioned above the roof line; and (iii) may not travel more than one
11 mile on city streets or county roads.

12 (6) The following vehicles, whether operated solo or in
13 combination, are exempt from license registration and displaying
14 license plates as required by this chapter:

15 (a) A converter gear used to convert a semitrailer into a trailer
16 or a two-axle truck or tractor into a three or more axle truck or
17 tractor or used in any other manner to increase the number of axles of
18 a vehicle. Converter gear includes an auxiliary axle, booster axle,
19 dolly, and jeep axle.

20 (b) A tow dolly that is used for towing a motor vehicle behind
21 another motor vehicle. The front or rear wheels of the towed vehicle
22 are secured to and rest on the tow dolly that is attached to the towing
23 vehicle by a tow bar.

24 (c) An off-road vehicle operated on a street, road, or highway as
25 authorized under RCW 46.09.180.

26 (7)(a) A motor vehicle subject to initial or renewal registration
27 under this section shall not be registered to a natural person unless
28 the person at time of application:

29 (i) Presents an unexpired Washington state driver's license; or

30 (ii) Certifies that he or she is:

31 (A) A Washington resident who does not operate a motor vehicle on
32 public roads; or

33 (B) Exempt from the requirement to obtain a Washington state
34 driver's license under RCW 46.20.025.

35 (b) For shared or joint ownership, the department will set up
36 procedures to verify that all owners meet the requirements of this
37 subsection.

1 (c) A person falsifying residency is guilty of a gross misdemeanor
2 punishable only by a fine of five hundred twenty-nine dollars.

3 (d) The department may adopt rules necessary to implement this
4 subsection, including rules under which a natural person applying for
5 registration may be exempt from the requirements of this subsection
6 where the person provides evidence satisfactory to the department that
7 he or she has a valid and compelling reason for not being able to meet
8 the requirements of this subsection.

9 (8) A vehicle with an expired registration of more than forty-five
10 days parked on a public street may be impounded by a police officer
11 under RCW 46.55.113(2)."

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12 On page 1, line 3 of the title, after "requirements;" strike the
13 remainder of the title and insert "and amending RCW 46.16.010."

EFFECT: Adds restrictions to the exempt movement of park
maintenance equipment, including distance, signage, accompaniment of an
escort car, and roadway damage.

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